



DEPARTMENT OF HEALTH & HUMAN SERVICES

*ma258n*  
New York District

Food & Drug Administration  
300 Pearl Street, Suite 100  
Buffalo, NY 14202

December 11, 1998

**WARNING LETTER NYK 1999-14**

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

John Mayer, President  
Mayer Brothers Apple Products Inc.  
1540 Transit Road  
West Seneca, NY 14224

Dear Mr. Mayer:

Investigator Patricia A. Clark conducted an inspection at your firm located at 7389 Lake Road, Barker, New York on November 23, 1998. During the inspection copies of your shipping records were collected. Review of the records found a serious violation of the Food, Drug, and Cosmetic Act (the Act) and Title 21, Code of Federal Regulations Part 101-Food Labeling, with regard to a required statement.

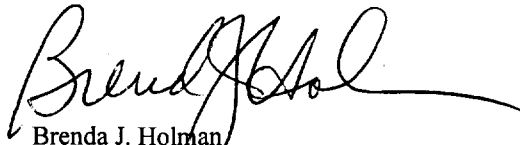
Your bulk, unpasteurized apple juice is misbranded within the meaning of Section 403(a)(1) and 201(n) of the Act because it does not comply with the with a requirement that applies to juices not specifically processed to prevent, reduce or eliminate the presence of pathogens. Shipping records are required to bear a statement as required in 21 CFR 101.17.

The above violation concerns certain new requirements and is not meant to be an all-inclusive list of deficiencies. Other violations can subject the food to legal action. It is your responsibility to assure that all of your products are in compliance with all applicable statutes enforced by the U.S. Food and Drug Administration.

You should notify this office in writing within fifteen (15) working days of receipt of this letter, of the specific steps you have taken to correct the noted violation.

Your reply should be directed to Compliance Officer John Thompson at the above address. If you have questions concerning the violation noted, please contact Mr. Thompson at (716) 551-4461, extension 3124.

Sincerely,



Brenda J. Holman  
District Director

cc: James L. Dickerson, Vice President and General Manager  
Mayer Brothers Apple Products, Inc.  
Somerset Division  
P. O. Box 277  
7389 Lake Road  
Barker, NY 14012